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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Sixtieth session

SUMMARY RECORD OF THE 1515th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 18 March 2002, at 3 p.m.

Chairman: Mr. DIACONU

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The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 6) (continued) (CERD/C/394/Add.1)

Initial report of Liechtenstein (CERD/C/394/Add.1)

1. At the invitation of the Chairman, the members of the delegation of Liechtenstein took places at the Committee table.

2. Mr. FRICK (Liechtenstein) emphasized that, notwithstanding Liechtenstein's small geographical size, population, economy and administration, it was deeply committed to honouring all its obligations as a full member of the international community, particularly those in respect of the protection of human rights and fundamental freedoms. It had become a State party to all the core international instruments on that subject and had made special efforts to fulfil its reporting duties. Since the submission of the report, Liechtenstein had ratified the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Rome Statute of the International Criminal Court and had signed Protocol No. 12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms, the Convention against Transnational Organized Crime and its three protocols, as well as the two optional protocols to the Convention on the Rights of the Child. The importance his country attached to the effective monitoring of the implementation of those instruments was underscored by its Government's acceptance of the amendment to article 8 of the Convention on the Elimination of All Forms of Racial Discrimination. Moreover, preparations for making the declaration under article 14 were well under way.

3. Liechtenstein was a State with a monist tradition. Like all international treaties to which the country had acceded, the Convention took precedence over domestic law. Despite that fact, it did not necessarily follow that the rules of international law applied in all cases and could apply in the national courts. For that reason, the provisions of international treaties were generally specifically incorporated into national legislation in order to serve as grounds for court rulings. The status of the Convention would be considerably enhanced by the widening of the Supreme Court's jurisdiction in the context of proceedings under article 14 of the Convention.

4. By the end of 2000, 34.4 per cent of the resident population were foreigners, who made up 64.2 per cent of the total working population. In order to cope with the pressure of immigration, Liechtenstein had been granted certain derogations from the principle of free movement of persons within the European Economic Area (EEA). Since its accession to the latter, his country had been transposing European Union legislation into its own legal system, a process which had led to considerable changes in the legal position of EEA nationals. For the citizens of other States, however, Liechtenstein's migration policy was still mainly governed by the principle of reciprocity.

5. The integration of the huge number of foreigners residing and working in Liechtenstein had been furthered by the absence of segregation in housing, although instances of discrimination could not be ruled out. Integration had also been facilitated by the fact that most

foreigners came from neighbouring, German-speaking countries and by the Government's active support for a variety of initiatives designed to promote intercultural dialogue. Another factor making for integration was the freedom of everyone in Liechtenstein to practise their own faith. Religious diversity was a relatively recent phenomenon and some people continued to use the religious infrastructure just across the border in Switzerland or Austria.

6. His country had been confronted with a massive influx of persons seeking refuge from the armed conflict in Kosovo. At first, the presence of so many refugees had given rise to uncertainty and vague fears among the population of Liechtenstein, but the newcomers had gradually become better accepted. He was glad to announce that refugee policy had never been exploited by politicians in order to win right-wing votes. Furthermore, the fact that refugees were allowed to work had improved both mutual understanding and the school attendance of their children. As they were able to save money, refugees also found it easier to participate in repatriation programmes. In 2001, the Government had contributed Sw F 3 million to support the voluntary return of refugees.

7. In May 2001, the Government of Liechtenstein had appointed an independent Historians Commission to examine the country's role in the Second World War and to ascertain whether it had helped to hide and transfer assets stolen from victims of Nazi rule. In order to enable the Commission to carry out its investigations, parliament had adopted a law regulating access to all documents and archives, including those held by private persons. The Commission had been instructed to finalize its work within two years and its findings were expected to trigger public debate and add to knowledge of that period of history.

8. Since the report had been submitted, right-wing extremism had subsided, even though, admittedly, a few isolated incidents had occurred. The mandate of the inter-agency coordination group had therefore been extended to include the prevention of violence by young people in general and preparations for the establishment of a national commission to advise the Government on a comprehensive policy to prevent violence. Since affinity with the right-wing scene appeared to be an ongoing fashionable trend among young people, not because they really believed in extremism, but more because they yielded to peer pressure, teachers were prepared to take resolute action against any form of racist behaviour and even to report it to the police. The new article 33, paragraph 5, of the Liechtenstein Criminal Code stipulated that racially motivated offences carried more severe sentences and therefore reflected strong disapproval. During the previous year, the Office of the Public Prosecutor had initiated investigations into four cases involving inter alia alleged violations of article 283 of the Criminal Code. One case had been heard by the court and the young offender had been conditionally sentenced to eight months' imprisonment for acts of violence albeit not for a breach of article 283.

9. His delegation was convinced that the combined efforts of the European Commission against Racism and Intolerance (ECRI) and the Committee would help the authorities of Liechtenstein to identify further measures contributing to the elimination and prevention of all forms of racial discrimination and it was therefore axiomatic that the Committee's conclusions would guide Liechtenstein when it drew up its national action plan for the implementation of the Durban Programme of Action.

10. Mr. HERNDL (Country Rapporteur) said that the introduction given by the head of the delegation of Liechtenstein had provided some interesting details about new developments. It was clear that, in the case of Liechtenstein, small really did mean beautiful, as the country had fulfilled all the procedural requirements of the Convention. The timely submission of its comprehensive report demonstrated the Government's sincere intention to implement the Convention fully, as well as its true interest in preventing racial discrimination, while its request for the Committee's comments showed that it was prepared to engage in dialogue. Another earnest intention was its ratification of the amendment to article 8 of the Convention. The report had followed the Committee's guidelines and provided a clear picture of the legal situation in the country as far as implementation of the Convention was concerned, but he would appreciate more statistics in future reports and more information about specific incidents of racial discrimination or adverse developments in that area. He was, however, favourably impressed by the fact that Liechtenstein had amended its laws prior to ratifying the Convention in order to ensure that they complied with it and that the Government did not have to enter any reservations.

11. Nevertheless he required clarification of the exact status of the Convention in domestic law in Liechtenstein, because the statement of the head of the delegation that the legal status of the Convention was higher than that of domestic legislation and could be applied directly by the organs concerned seemed to contradict what was said in paragraphs 40 and 74 of the report.

12. According to the report, the Supreme Court was charged in particular with the protection of the rights guaranteed in the Constitution and those set forth in the European Convention on Human Rights and in United Nations human rights core instruments. Why were such responsibilities specifically assigned to the Supreme Court, instead of the judiciary in general? The State party was reportedly considering modification of the law governing the Supreme Court, to enable it directly to hear allegations of violations of the Convention. The report stated that the Supreme Court could already be seized of matters relating to the International Covenant on Civil and Political Rights.

13. He commended the Government for taking a number of initiatives in anticipation of accession to the Convention, noting that it was exceptional for a State party to do so prior to ratification. The Government had thus already established monitoring mechanisms, and the Office of Social Services had undertaken a number of studies related to racial discrimination and intolerance. The European Commission against Racism and Intolerance (ECRI) had recommended that the State party should conduct surveys of the population to ascertain whether there was an underlying current of xenophobia or right-wing extremism, and the Government had already conducted such a survey. He welcomed the extension of the "Action Together" initiative and the "Migrant Women's Project" and commended the Government for planning implementation of the "blueprint for integration" as part of its effort to prevent violations of the Convention.

14. While the Government was undertaking to integrate women of foreign nationalities, he noted that the Committee on the Elimination of Discrimination against Women (CEDAW) had expressed concern at the persistence of a patriarchal pattern of behaviour, which could be the source of discrimination.

15. Racial bias was considered an aggravating circumstance under the Criminal Code. The report listed five specific cases of the prosecution of punishable offences involving right-wing extremism with racist motivations. The outcome of one such case, the third in the list, was somewhat unclear, as the report stated that the defendant had been convicted and had been forced to pay a fine

and damages, but criminal sanctions had not been imposed. Had action been taken to reprimand the perpetrator? Clearly, effective remedies existed in Liechtenstein legislation, both through criminal law and through the possibility of bringing civil law suits.

16. The State party was encouraged to keep up its efforts to promote intercultural dialogue. The fact that right-wing extremism had become fashionable among young people was troubling and would require vigilance on the part of the authorities. If there was a lacuna in the application of the Convention, it was in publicizing the instrument. While it had been published in the National Law Gazette and the press had been made aware of it thanks to the ratification process, more must be done to bring it to the attention of people of foreign descent living in the country in order to make them aware of their rights.

17. Mr. BOSSUYT commended the Government of Liechtenstein for submitting its initial report on time, which was unfortunately quite rare among States parties, and for the quality of its report. Noting the large proportion of foreigners in the population, he asked about the procedure for naturalization, which reportedly involved a 15-year residency requirement. Did applicants have to meet any other conditions as well? How was nationality granted, for example, to the children of foreign nationals residing in the country or to the foreign spouses of Liechtenstein citizens? Noting that according to the report public officials could be foreign nationals, he asked which nationalities were accepted in the public service.

18. The Convention was accorded a "minimum status equal to that of a law". What exactly did that mean? What was the relationship between the Convention and laws adopted since the country's accession to it? He welcomed the fact that the State party had already made the declaration required to amend article 8 of the Convention and had filed the declaration under article 14.

19. Mr. VALENCIA RODRÍGUEZ noted the large proportion of foreigners among the 33,000 people living in Liechtenstein, and the fact that some 25,000 foreigners worked there. Liechtenstein, which formed a single economic space with Switzerland, had a strong economy, low infant mortality and high life expectancy. Constitutional and legal provisions provided penalties for racial discrimination and established equality of all citizens before the law. The report stated that the rights of foreigners were determined by international treaties in the first instance, or in the absence of such, on the basis of reciprocity. How did that work in practice? What standards applied to foreigners if there were no provisions in treaties, or if the corresponding State had adopted no standards at all for the treatment of Liechtenstein nationals?

20. Noting that no specific enabling legislation was required to incorporate treaties into domestic law, he asked whether the Convention's provisions could be directly invoked in court, and drew attention to the fact that articles 4 and 6 would in any case require the adoption of national standards. It was clear from the report that a small number of foreign women were particularly disadvantaged in respect of working and living conditions, and that they thus faced double discrimination. Could the delegation provide information on measures taken to overcome such difficulties? Further information would be welcome on the measures taken to combat right-wing extremism, as described in paragraph 80 of the report.

21. The provisions of article 283 of the Criminal Code were sufficiently close to the wording of the Convention. Had that article ever been enforced in cases of racial or ethnic discrimination? What inequality of treatment existed between citizens and foreigners in respect of the right to acquire property? Were working conditions, in particular equal pay for equal work and conditions of recruitment and dismissal, identical for citizens and foreigners, and were they afforded equal treatment by the labour protection mechanisms? Were foreigners treated on an equal footing for access to social security, health care and housing?

22. The delegation should provide specific information on the standards applicable in respect of article 6. According to the report, civil action was required in order to claim compensation. That would undoubtedly involve long procedures, which would effectively block compliance with the article. The Government must continue to monitor and prosecute discriminatory treatment and racism, and should keep the Committee informed of developments in that respect.

23. Mr. de GOUTTES noted that although Liechtenstein was a very small, sheltered country, it presented many of the same characteristics as the other countries of its region. There was a high proportion of immigrants, and the naturalization policy was similar to that of its neighbours. The emergence of xenophobia and right-wing extremism, too, was a phenomenon that was to be found in the region. On that subject, the delegation's presentation had appeared less alarming than the report. Had there been an improvement? The Government should keep the Committee informed of its efforts to combat such phenomena.

24. The legislation in force apparently met the requirements of article 4. However, certain cases that had been prosecuted had not led to convictions. Perhaps it would be useful to carry out awareness campaigns in the courts. The efforts made in the field of information and educational activities for young people were of particular interest to the Committee.

25. According to paragraph 40 of the report, certain conditions applied in order for the provisions of a treaty to be self-executing. Which articles of the Convention met those conditions, and which would instead require enabling legislation? Noting the Government's intention to amend the law governing the Supreme Court, in order to render it competent to receive and consider petitions under article 14, he asked when that provision would come into force. Lastly, could the delegation provide updated information to the Committee on the efforts to ensure separation of Church and State?

26. Mr. PILLAI asked how many refugee children attended school, and requested information as to why the Supreme Court had become involved in a case concerning school attendance. What specifically were the manifestations of the "increased propensity for violence" reported among young people, in particular, extremist right-wing youths, and what action had been taken to deal with it? What kind of structure was provided for language and social studies classes given to non-German speaking children of school age?

27. Mr. YUTZIS, referring to paragraph 4 of the report, requested further information concerning the main nationalities of non-European immigrants in Liechtenstein.

28. With regard to paragraph 136, he asked the delegation to explain what was meant by the statement that xenophobic acts among young people could be traced back to a generalized higher propensity for aggression "as part of the developmental process, in particular among young males". He disagreed with the assertion in the same paragraph that aggression and violence were often the underlying cause, while right-wing extremist ideologies were the mask or the form which those young people considered appropriate for the expression of the internal factors that motivated them. In his view, extremist ideology caused aggression, not the other way around. In that connection, paragraph 138 no longer referred solely to young people, but to the difficulty of dealing fully with latent xenophobic mindsets in a wide sector of the population. Thus, the behaviour of young males was not an exception, but a symptom of a larger problem. Paragraph 138 cited a number of reasons for a sense of uncertainty. Certain groups of "others" were perceived as a threat because they made the notion of culture less absolute and gave it a different perspective. What were the points of reference of those xenophobic acts? Such attacks were not simply a problem associated with groups of young males, but had deeper sociocultural roots.

29. Referring to the question of the separation of church and state, which was of relevance to the Convention, he said that a person's religion was often linked to a particular ethnic group. Promoting the separation of church and state created greater equity between the various religions and might help establish greater equity between the various ethnic or national groups.

30. The delegation of Liechtenstein withdrew.

Draft concluding observations concerning the initial, second, third and fourth periodic reports of Moldova (CERD/C/60/Misc.29/Rev.2)

31. The CHAIRMAN invited the Committee to consider the draft concluding observations concerning the initial, second, third and fourth periodic reports of Moldova.

32. Mr. PILLAI (Country Rapporteur) said that the text before the Committee was a revised draft incorporating written and oral suggestions made by Committee members.

Paragraphs 1 and 2

33. Paragraphs 1 and 2 were adopted.

Paragraph 3

34. Mr. KJAERUM said that in order to reflect more accurately the situation in Transnistria, a region in which there was a serious conflict with ethnic overtones, he suggested rewording the paragraph to read: "The Committee notes that the State party is going through a difficult period of transition and is facing serious economic and social challenges. Further, the State cannot exercise its jurisdiction on part of its territory, the region of Transnistria, where serious discriminatory practices, according to information received by the Committee, are prevailing".

35. Mr. RESHETOV agreed with the first part of Mr. Kjaerum's proposal, but not the second part. The Committee should not pass judgement on what was taking place without hearing from the "other side", so to speak.

36. Mr. LINDGREN ALVES said that he agreed with Mr. Reshetov. He proposed the following wording: "The Committee notes that the State party is going through a difficult period of transition and is facing serious economic and social challenges. Further, the State cannot exercise its jurisdiction on part of its territory, the region of Transnistria". The Committee could not evaluate the situation on the basis of a few sentences in the country report or information that it had received from elsewhere.

37. Mr. AMIR said that many States which had become independent after 1989 had gone through a difficult period of transition; to stress that fact with regard to Moldova might suggest that it was not the case elsewhere. He also did not know what the phrase "cannot exercise its jurisdiction on part of its territory" meant or what it contributed.

38. The CHAIRMAN pointed out that the Committee had included such a phrase for many countries in a similar situation, including Georgia and Lithuania, although not in all such cases.

39. Mr. BOSSUYT endorsed Mr. Kjaerum's proposal, but suggested replacing "according to information received by the Committee" by "according to information provided by the State party", because Moldova itself had informed the Committee about the discrimination taking place in the region of Transnistria.

40. Mr. ABOUL-NASR agreed with Mr. Bossuyt's proposal.

41. Mr. HERNDL said that in principle, he shared the views expressed by Mr. Reshetov and Mr. Lindgren Alves. The factor impeding the State party's implementation of the Convention was not the practices occurring in Transnistria, but the simple fact that Moldova could not exercise its jurisdiction there.

42. Mr. SICILIANOS said that objective, corroborating reports on the events in Transnistria had been produced by the Council of Europe, the Organization for Security and Cooperation in Europe (OSCE) and a number of other intergovernmental bodies; given that the discriminatory practices in that part of Moldova's territory were common knowledge, the Committee should take a position, if only indirectly. Mr. Bossuyt's compromise proposal was excellent, because the Committee would not be taking a direct stance, but would not be ignoring a serious European problem either.

43. Mr. PILLAI (Country Rapporteur) said that he was in favour of stopping the sentence after the words "the region of Transnistria". A reference to serious discriminatory practices taking place in Transnistria should be inserted in the section on concerns and recommendations.

44. Mr. BOSSUYT said that if such a reference were inserted in the section on concerns and recommendations, it would give the impression that the Committee was blaming the State party. Hence the need to retain any such formulation in the section on factors and difficulties impeding the implementation of the Convention. What could be wrong with quoting the State party? The Committee would merely show that it was aware of the existence of a grave problem there.

45. Mr. ABOUL-NASR said that he wondered about the logic of saying, as Mr. Sicilianos had done, that Transnistria was a European problem and that the Committee therefore could not remain silent, at the same time that it had forgotten about a million Africans dying as a result of genocide. No one at the General Assembly who read the text would understand what was happening or who was to blame. The State party had reported on developments there, and the Committee should include a reference to that effect. He endorsed Mr. Bossuyt's proposal.

46. Mr. YUTZIS said that in similar situations in the past, the Committee had taken note of difficulties which States parties had had in implementing the Convention in territories or regions not under their control at the time, and it should do the same in the current case.

47. Mr. RESHETOV said that he had been trying to limit the discussion to a factual situation on which there was no disagreement, namely that the State party was unable to exercise its jurisdiction over part of its territory. But with regard to the reference made to some reports which were well known in Western Europe, he noted that there were millions of people who had a very different opinion on the situation in that region. He fully agreed with Mr. Aboul-Nasr. For some members of the Committee, other parts of the world, including Eastern Europe, hardly existed, and only reports produced in Western Europe contained the truth. He was opposed to relying on unfounded, one-sided assessments.

48. Mr. SICILIANOS pointed out that the reports to which he had referred had been produced by the OSCE and the Council of Europe, which were pan-European bodies, and that they had been adopted by consensus, in which the Russian Federation had joined.

49. Mr. RESHETOV said that he would be grateful to Mr. Sicilianos if he could provide the Committee with a copy of the OSCE report, which the Committee could analyse and draw upon. But he could not believe all the accusations about Transnistria without having read the report.

50. Mr. TANG Chengyuan proposed that the Committee should defer consideration of the paragraph and return to it after consultations.

51. The CHAIRMAN agreed and asked Mr. Pillai, Mr. Kjaerum, Mr. Bossuyt and Mr. Reshetov to draw up an amended version of paragraph 3.

52. Consideration of paragraph 3 was deferred.

Paragraph 4

53. Following a query by Mr. RESHETOV, Mr. THORNBERRY, proposed that the phrase "which have a bearing on issues of racial discrimination" should read "which are relevant to issues of racial discrimination".

54. Paragraph 4, as amended, was adopted.

Paragraph 5

55. Mr. RESHETOV, supported by Mr. PILLAI and Mr. HERNDL, proposed that "efforts made" should read "efforts undertaken".

56. Mr. THORNBERRY proposed that the phrase "vast array of provisions for human rights" should read "wide spectrum of human rights".

57. Paragraph 5, as amended, was adopted.

Paragraph 6

58. Mr. THORNBERRY proposed that the phrase "has designed to ensure" should be reworded "has adopted with the purpose of ensuring".

59. Mr. RESHETOV asked whether there was any rationale behind the particular order in which the minorities were listed: "Ukrainian, Russian, Jewish and Bulgarian groups".

60. The CHAIRMAN said that was the order used by the State party in its report.

61. Mr. ABOUL-NASR asked whether the term "Jewish" was intended to denote a religious or racial minority. Surely as a group of independent experts the Committee ought to draw a distinction between the two?

62. The CHAIRMAN said that clearly what the State party had in mind was an ethnic minority; how could the Committee use a different term from the one appearing in the State party report?

63. Mr. AMIR shared Mr. Aboul-Nasr's concerns and suggested that a note should be included to the effect that the word "Jewish" reflected the terminology used in the State party's report.

64. Mr. de GOUTTES agreed that the Committee ought to distance itself from the categories used by the State party and suggested that a distinction could be drawn between them by rewording the phrase to read "including Ukrainian, Russian and Bulgarian groups as well as members of the Jewish community".

65. The CHAIRMAN said it should be made clear somewhere in the paragraph that the term "Jewish" referred to an ethnic minority.

66. Mr. ABOUL-NASR said the term "Jewish" did not refer to an ethnic minority. For instance, could black and white American Jews be considered as belonging to the same ethnic group?

67. The CHAIRMAN pointed out that in Moldova the Jews were identified as an ethnic group. The colour of their skin was not an issue since they were all white.

68. Mr. BOSSUYT expressed support for Mr. de Gouttes' proposal.

69. Mr. RESHETOV said that in Russian society the Jews were also recognized as an ethnic group.

70. Mr. LINDGREN ALVES said it was not only language or religion that denoted an ethnic group but also culture and traditions. Although the origin of the Jewish ethnic group was undoubtedly Judaism, it could not be denied that many people who were no longer Orthodox Jews regarded themselves as Jewish on account of their culture and traditions.

71. Mr. ABOUL-NASR suggested that the original text should be retained.

72. The CHAIRMAN said he took it that the Committee wished to adopt paragraph 6 with the amendment proposed by Mr. Thornberry.

73. It was so decided.

Paragraph 7

74. Paragraph 7 was adopted.

Paragraph 8

75. Mr. RESHETOV suggested that the phrase "the efforts made" should read "the efforts undertaken".

76. *Paragraph 8, as amended, was adopted.*

Paragraph 9

77. The CHAIRMAN suggested that the word "harmonization" should be replaced by the word "improvement".

78. Paragraph 9, as amended, was adopted.

Paragraph 10

79. Paragraph 10 was adopted subject to minor drafting changes.

Paragraph 11

80. Following a brief exchange of views, in which Mr. THORNBERRY, Mr. HERNDL, Ms. JANUARY-BARDILL, Mr. AMIR and Mr. PILLAI (Country Rapporteur) took part, Mr. de GOUTTES, supported by Mr. ABOUL-NASR, proposed the deletion of the paragraph, which seemed unnecessary and as currently worded was unclear.

81. Paragraph 11 was deleted.

Paragraph 12

82. Mr. ABOUL-NASR asked whether paragraphs 12 to 15 might be consolidated to shorten the text, particularly since paragraphs 12 and 13 both referred to article 5 of the Convention.

83. The CHAIRMAN suggested deleting the reference to article 5 in paragraph 12.

84. Mr. PILLAI (Country Rapporteur) said the rationale behind the paragraphs was to elicit information on the practical implementation of the provisions of the different articles of the Convention. He did not therefore consider they could be consolidated, but endorsed the Chairman's suggestion regarding deletion of the reference to article 5.

85. Mr. HERNDL drew attention to some minor drafting changes required in the paragraph.

86. Subject to those minor drafting changes and the deletion of the reference to article 5, paragraph 12 was adopted.

Paragraph 13

87. Mr. THORNBERRY proposed that the word "comprehensive" be replaced by the word "detailed".

88. Paragraph 13, as amended, was adopted.

Paragraph 14

89. The CHAIRMAN proposed that the word "those" be replaced by "persons belonging to some minorities".

90. Mr. THORNBERRY suggested inserting the word "measures" after the word "remedial".

91. Paragraph 14, as amended, was adopted.

Paragraph 15

92. Paragraph 15 was adopted subject to minor drafting changes.

Paragraph 16

93. Mr. RESHETOV said that the word "consuls" should be qualified by the term "honorary": it was not possible to strip a foreign diplomat of his citizenship.

94. The CHAIRMAN proposed deleting the phrase "and that one of the consuls of a country was stripped of his Moldovan citizenship without an opportunity to defend himself against charges". It referred to an isolated incident that was not of vital interest to the Committee. In any case, the granting or removal of citizenship was a sovereign matter.

95. Mr. PILLAI (Country Rapporteur) endorsed the Chairman's proposal.

96. Paragraph 16, as amended, was adopted.

Paragraph 17

97. Mr. THORNBERRY proposed that the word "amoral" should be replaced by the word "immoral" where it appeared in the text. He also drew attention to a minor drafting change required.

98. Paragraph 17, as amended, was adopted.

Paragraph 18

99. Mr. RESHETOV said that the expression "members of the security forces" was too specific. He proposed it should be aligned with the term "law enforcement officials" which appeared elsewhere in the text. He further proposed that the last part of the third sentence be reworded to read: "they respect and protect the human rights of all persons without distinction as to race, colour or national or ethnic origin".

100. Paragraph 18, as amended, was adopted.

Paragraphs 19 to 21

101. Paragraphs 19 to 21 were adopted with some minor drafting changes.

Paragraph 22

102. The CHAIRMAN suggested that consideration of the paragraph be deferred pending consultation on the drafting of a suitable text in connection with follow-up to the Durban Conference to be incorporated in all concluding observations.

103. It was so decided.

Paragraph 23

104. Paragraph 23 was adopted.

Paragraph 24

105. Mr. HERNDL said that the word "updated" should be replaced by "updating" in line with the suggestion by Mr. Thornberry at an earlier meeting.

106. The CHAIRMAN said that the due date for submission of the State party's fifth periodic report should in fact be 1 March 2004, although the Committee might not deem it necessary to mention any date at all. He suggested, in view of the late hour, that the Committee should close the discussion. Consideration of the paragraphs held in abeyance would be resumed at a subsequent meeting.

The meeting rose at 6 p.m.